

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, et al.,

Plaintiffs,

-v-

LABQ CLINICAL DIAGNOSTICS, LLC *et al.*,

Defendants.

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USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 02/21/2025

22-cv-10313 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

The motion of Defendants for a stay of discovery is denied. “A motion to dismiss does not automatically stay discovery, except in cases covered by the Private Securities Litigation Reform Act.” *Hong Leong Finance Limited (Singapore) v. Pinnacle Performance Ltd.*, 297 F.R.D. 69, 72 (S.D.N.Y. 2013). Defendants have not made the requisite “strong showing” that the motion to dismiss will succeed, at least in its entirety and to a degree that would impact discovery. The breadth of discovery does not justify a stay, particularly in light of the fact that the Defendants have yet to respond to merits discovery requests. Finally, the Government has made a showing that it would be prejudiced by a stay. *See Bertrand v. Department of Education, Archdiocese of N.Y.*, 2023 WL 2776015 (S.D.N.Y. Apr. 4, 2023) (denying motion for stay). The Court also denies the request in the alternative for a discovery “pause.” Dkt. No. 353 at 4. The Clerk of Court is respectfully directed to close the motion at Dkt. No. 348.

SO ORDERED.

Dated: February 21, 2025
New York, New York



LEWIS J. LIMAN
United States District Judge